

An Update on State Standards and Assessment Systems

Keeping America competitive in the 21st century depends on leaving no child behind. We can't prepare students for the global economy if we don't get them to grade level first...Ninety percent of the fastest-growing jobs require postsecondary education. And we can't help more students realize the dream of college if we don't teach them how to read and do math first.

– U.S. Secretary of Education Margaret Spellings

A high-quality standards and assessment system is the cornerstone of a State accountability system; it is necessary to ascertain the extent to which States are achieving the goal of universal proficiency. This is a vital piece of NCLB. Without very clear and challenging content standards, and tests that are aligned to those content standards, we cannot measure the success we are having in helping our nation's children reach grade-level proficiency and learn the skills they will need to succeed later in life.

Congratulations are due to those States with assessment systems that have met all of the NCLB requirements. As of today, 20 States have reached this bar and received Full Approval or Full Approval with Recommendations. An additional five States have been designated Approval Expected because they have submitted evidence that the bulk of the assessment system meets the requirements and are waiting to complete a few minor technical details. For every State, the Department appreciates the work State assessment and Title I directors and others have done over the last few years to conduct this very important work.

Unfortunately, it is likely that not all States will have a fully approved standards and assessment system by the end of the 2006–07 school year. The Department will send each such State a revised status designation for its standards and assessment system by July 1, 2007, based on categories listed below.

This approach towards the approval of State assessment systems represents the Department's effort to faithfully implement key statutory provisions while recognizing the complexities of the work involved. In particular, the Department recognizes and has learned a great deal over the last year about the challenges facing States when developing appropriate, valid, and reliable assessments for students with disabilities and limited English proficient students. As a result, the Department has initiated two Partnerships organized to facilitate conversations and offer technical assistance regarding assessing these two groups of students. The first meeting of the Partnership for assessing students with disabilities will be in Washington, DC on July 25-27. Further information regarding these Partnerships will be forthcoming.

The negotiated agreements and compliance agreements referenced below will hold both the Department and States accountable for crossing the finish line.

➤ **Full Approval or Full Approval with Recommendations**

For States with a standards and assessment system designated Full Approval or Full Approval with Recommendations, no additional action is required.

➤ **Approval Expected**

Some States will administer a standards and assessment system in grades 3–8 and high school in 2006–07 that the evidence to date suggests is fully compliant with the statutory and regulatory requirements. There may be certain minor elements of the State's system, however, that may not be complete by July 1, 2007, due to the nature of assessment development. The State must

provide the Department a timeline for the completion and submission for peer review of the evidence necessary to resolve all outstanding matters. The State must complete this work as soon as possible, but before administering its assessments in 2007–08. A State in this category will have a condition placed on its fiscal year 2007 Title I, Part A grant award. While we believe the State has administered a fully compliant system, in the event the evidence submitted does not bear this out, please note that a State in this category would then be designated Approval Pending.

➤ **Approval Pending**

Some States will administer a standards and assessment system for which the evidence submitted by July 1, 2007, indicates it does not meet all of the requirements of the ESEA. These States will be further delineated based upon whether the evidence submitted by July 1 indicates that:

- There are only significant issues with an alternate assessment based on alternate achievement standards or an assessment for limited English proficient students. For example, the evidence submitted may indicate concerns regarding the reliability of results due to the wide range of student work collected and the scoring rubric employed.

A State in this category will have a condition placed on its fiscal year 2007 Title I, Part A grant award and will be placed under Mandatory Oversight, pursuant to 34 C.F.R. §80.12. In addition, the State must enter into an agreement with the Department demonstrating that the State has made a commitment and investment of resources to resolve all outstanding issues for the 2007–08 administration of its assessments. The agreement will include a mutually acceptable timeline for how and when the remaining work toward having a fully approved standards and assessment system will be accomplished. The State must submit regular reports of its progress along this timeline for review. In addition, the State must submit evidence at mutually acceptable points for review by the peers and Department staff in order to ensure the State's continued progress. If, at any point, the State does not submit the evidence required or does not administer a standards and assessment system in 2007–08 that meets all NCLB requirements, the Department will initiate proceedings, pursuant to Section 1111(g)(2) of the ESEA, to withhold all or a portion of the State's Title I, Part A administrative funds, which will then revert to local educational agencies in the State. Any State in this category will be expected to join one of the Partnerships with the Department.

- There are significant issues with a State's general assessments for grades 3–8 and high school as well as, possibly, substantive issues with an alternate assessment based on alternate achievement standards or an assessment for limited English proficient students. For example, the evidence submitted may indicate that the assessment system lacks sufficient documentation of validity and reliability.

A State in this category will have a condition placed on its fiscal year 2007 Title I, Part A grant award. In addition, the Department may withhold, pursuant to Section 1111(g)(2) of the ESEA, 25 percent of the State's Title I, Part A administrative funds, which would revert to local educational agencies in the State. A State in this category will also be asked to enter into a Compliance Agreement with the Department. A compliance agreement is a statutory remedy authorized by §457 of the General Education Provisions Act. Its purpose is to bring a State into full compliance with applicable requirements as soon as feasible. The Department does not anticipate a Compliance Agreement would exceed two years.

Peer Review and Technical Assistance

The final scheduled peer review will be May 21-25. Many States have submitted evidence for this review. The Department strongly encourages all States that are not currently fully approved to submit all available evidence to the Department as soon as possible for peer review. In addition, the Department will schedule a rolling review whenever a State has evidence necessary for review. As ever, the Department remains available and willing to provide technical assistance to States for any aspect of its standards and assessment system.